The Examiner's rejection of claim 30 is respectfully traversed. It also is submitted that the other claims directed to this feature are patentable over Hartmann.

Given the problems mentioned above, it would not have been obvious to one skilled in the art to provide a ticket dispensing means and method which facilitates accurate tearing or bursting of the tickets rather than cutting them apart.

Those of ordinary skill in the art would recognize, as did Hartmann, that the ticket stock material is tough and the perforations are long, so that the bursting or tearing of the tickets apart would present substantial problems which could be solved easily by cutting the tickets apart.

In fact, Hartmann himself teaches away from the invention. In Column 1, lines 10-17, Hartmann discloses prior art which tears cards in a perforated strip apart from one another, and then goes on to teach that this is not the way to do it; instead, Hartmann suggests using a rotary cutter.

The Examiner also has cited Roetter 4,261,497, in combination with Hartmann, in rejecting the claims here under discussion.

Roetter does not disclose or suggest the invention, and, like Hartmann, actually teaches away from the invention. Roetter shows a mechanism for bursting printed business forms apart. He does not disclose a ticket bursting machine. The computer paper handled by the Roetter device is relatively thin

and can be torn apart relatively easily. Therefore, Roetter merely suggests stopping one set of rollers while the other set of rollers continues to turn, thus pulling the sheets apart, while being stretched over a roller with spheres on it.

Contrary to the Examiner's assertion that Roetter suggests the use of his invention in bursting tickets apart, Roetter actually teaches away from such a concept. In Column 1, lines 34-44, he denigrates a prior mechanism used in ticket dispensing. This hardly is a suggestion that Roetter's invention would be usable in dispensing tickets.

Finally, there is no suggestion in either Hartmann or Roetter that their inventions should be combined.

Applicants have created a particularly desirable and advantageous ticket separation method and apparatus as set forth in new claims 52 and 58. In this feature of the invention, the weakened line between two adjacent tickets is moved to a position near a separation station, and the strip is held and bent along the line in order to facilitate the accurate tearing of the strip along the line. Preferably, a separator member is provided. Relative motion between the separator member and the strip is created so as to create transverse deflection and bending of the strip and tear the tickets apart along the line. This feature of the invention is illustrated schematically in Figures 8A and 8B of the drawings. The separator member takes the specific form of a wheel 68 (see Figures 5 and 7) which presses downwardly on the

ticket strip as shown in Figures 8A and 8B to deflect it downwardly to bend the strip along the perforated line and burst the tickets apart.

By bending the strip along the desired tear line, the probability that the stock will tear along the right line is greatly enhanced and made easier. Another excellent advantage of this feature of the invention also is illustrated in Figures 8A and 8B. If the perforation line 56 is not correctly aligned with the bursting wheel at point 70, as the bursting wheel presses downwardly on the ticket stock, it naturally forces the tickets to adjust themselves longitudinally so that the perforation line 56 is correctly aligned with the burster wheel. This automatic mechanical correction means is a clever and unobvious feature of the invention. The invention thus uses one means or mechanism to perform two different functions; bursting the tickets apart, and re-aligning them.

Furthermore, this feature of the invention makes the bursting mechanism much less sensitive to accurate location of the perforation line at the bursting station. All that is necessary is that the perforation line be reasonably close to its desired location, and the automatic correction feature of the invention does the rest. This feature of the invention is emphasized particularly in claims 31, 54 and 60.

Claims 55, 56, 61 and 62 emphasize the further advantageous feature in that the tearing starts at one point in

the strip, and then traverses across the strip. This provides an initial breakthrough, which then progresses across the strip. This makes the separation of the tough card stock considerably easier than if it were attempted to tear through the entire line all at once.

Neither Hartmann nor Roetter, nor any other reference of record shows or suggests these additional advantageous features of the invention.

Another serious drawback of the Hartmann approach to dispensing tickets from a perforated strip is the means for moving the strip accurately to the proper location for cutting. Hartmann depends upon detecting the passage of light through the perforation holes in successive perforation lines in order to initially calibrate his machine to move the tickets the right distance before being cut. This approach has serious inherent flaws.

First, as the Examiner can tell by holding the enclosed lottery ticket samples up to a strong light, the size of the perforation holes varies so significantly that much less light shines through some of the holes than through others. Perhaps more significantly, it does not appear that any light at all shines through the holes in some of the tickets. Hartmann himself admits that light does not shine through the perforation holes reliably, and admits that he must go through a complicated calibration routine in an attempt to overcome this problem.

However, even that does not solve the problem when there are no holes at all through which light will shine. Applicant's device does not depend upon light shining through holes in the tickets. Thus, the Hartmann device often is inoperative in dispensing tickets which applicants' device will dispense with ease.

Another problem is created due to the fact that, because of the unreliability of perforations as position indicating means, Hartmann has no reliable means for determining the instantaneous position of the ticket strip. As Hartmann says in Column 5, lines 24-28, "the device according to the present invention does not rely upon the detection of a perforation after calibration to issue a ticket, thus eliminating errors due to blocked perforations." This causes problems in controlling the movement of the strip.

Claim 65 (and the more limited allowed claims 34 and 35) are directed to the advantageous feature of the present invention which overcomes the latter problems of the Hartmann device. Specifically, applicants provide position-detecting means for detecting the distance actually moved by the strip while it is being moved to a bursting or tearing position, and using the signal produced by the detecting means to control the drive means for moving the strip to the desired position. Claim 66 specifies the detecting means as including a rotary code member drivably coupled to the strip, and means for detecting the incremental movements of the code member and converting them into

electrical signals. The code member preferably is the optical code wheel 86 (Figures 5 and 7) which accurately determines the actual position and movement of the ticket strip.

The Examiner might think that the Hartmann device detects the position of the strip by counting electrical pulses delivered to its ticket advance stepper motor 40 (see Figure 1). However, the use of the stepper motor is flawed in that, if there is slippage between the strip and the drive roller driven by the stepper motor, as is so very likely with such stiff and slick materials, then the stepper motor pulse count does not accurately represent the actual position of the ticket strip. Therefore, Hartmann does not reliably detect the actual movement of the strip by his approach.

As is indicated in claim 67, for example, and as it is explained on page 28 of the specification and shown in Figure 7 of the drawings, the code wheel 86 is secured to a shaft to which rollers 60 are coupled. The rollers 60 are idlers which move only as the result of movement of the ticket strip. Thus, if the driven rollers 62 slip when attempting to drive the strip, unlike the Hartmann device, applicants' device does not register movement.

Applicants also have a highly superior and very simple method of determining the distance to move each ticket of a given length. As it is set forth in claims 68 and 69, for example, a front edge detector is provided to detect the front edge of a

ticket to be separated. The information telling the mechanism how far to move the ticket after that point is stored in memory, and the ticket is moved until it has moved by that distance. This is a far simpler system than the Hartmann system, which requires a complex calibration routine, etc.

Claims 71 and 36-39 are directed to the extremely simple feature of the invention in which the differing lengths of different tickets is accommodated by simply imputting different information into the memory means to indicate how far each ticket is to be moved. This is in direct contrast to Hartmann who requires a complicated calibration routine each time a new size of ticket is to be dispensed from the machine.

In applicants' invention, the information can be simply input by operating the keypad on the front of the machine, or by inputting it from a central computer. Hartmann does not suggest this simplicity.

Another highly advantageous feature of the invention, emphasized in claims 50, 51 and 69, for example, is one in which each ticket in a batch of tickets ordered by a particular customer is individually separated from the other tickets in the batch so that the tickets are dispensed one at a time. At first, this might appear to be disadvantageous. However, it has unobvious and unpredictable advantages that make it unobvious.

This feature produces at least three different advantages. One is that the front edge detector recited in claims 68 and 69 can be used to great advantage in determining a reference point for determining how far to move each ticket. This greatly simplifes the mechanism and circuitry of the device.

A second advantage is that this feature takes advantage of the automatic position adjustment capabilities of the burster mechanism of the invention. Thus, a correction operation automatically is engaged in for each ticket which is dispensed. This prevents individual small errors in ticket location from accumulating over a long period of time and become major errors.

A third advantage, which is emphasized by claims 50 and 51, is where the housing which dispenses the tickets has an outlet opening (e.g. opening 34 shown in Figure 4 of the drawings) which is accessible to the purchaser of the tickets. If the machine were to issue a strip of say 10 tickets or so without separating each individual ticket from its neighbors, during the dispensing of the tickets the purchaser could grab the end of the uncut strip of tickets and pull many more tickets than he paid for out of the machine. Thus, the dispensing of one ticket at a time helps prevent theft or vandalism.

It does not appear that Hartmann dispenses tickets directly to the purchaser. Therefore, he has nothing to even remotely suggest this feature of the invention.

The rejection of claim 20 as being anticipated by Koza or obvious over Hartmann is respectfully traversed. Claim 20 is directed to the feature of the invention in which a control panel is mounted on the front surface of the ticket dispenser and a dispensing outlet is located on the rear surface. This arrangement is not shown or suggested either by Koza or Hartmann. In Koza, any lottery ticket which might be dispensed from the video game terminal is dispensed from a small closed box 42 in the front of the video game terminal (see Figure 2 and column 3 lines 56-61). In the Hartmann device (see Figure 1), the ticket outlet 18 is on the front of the device, just above the control panel 20.

The arrangement of claim 20 is advantageous in that, in the typical retail store such as a candy or cigar store, the dispensing unit can rest on the counter, with the ticket agent or seller on one side of the counter, and the customer on the other. The ticket can be issued directly to the customer so that he can take it quickly and make room for the next person in line. This can be very advantageous when there are long lines of people waiting to buy tickets. It eases the ticket agent's job and makes for faster ticket vending, thus increasing both the ticket seller's commissions and the state's revenues.

Claims 21, 24, 25 and 27-29 depend from and are allowable with claim 20. Claim 21 calls specifically for means to generate a ticket number specification signal to order the

dispensing of multiple tickets. This emphasizes the ease with which multiple tickets can be issued by the ticket agent without his having to handle the tickets.

Claim 24 is directed to the feature discussed above in which each of a batch of tickets is separated from the other tickets, thus providing the security feature described above.

Claims 27-29 are directed to the advantageous message display means mounted at the back surface adjacent the dispensing outlet of applicants' machine. This display is shown at 46 in Figure 4, for example. Moreover, there is a second display on the front of the machine 32 for informing the agent of information that he needs. This second display is recited in claim 29. Claim 28 is directed to central data processing means for selectively transmitting messages to the unit.

The foregoing specific combinations of features are not shown in or suggested by either Koza or Hartmann, or any combination of those references.

Claims 27-29 have been rejected as obvious over Troy in view of Hartmann. The Examiner relies on Troy primarily for his display 128 (Figs. 8 and 9). However, such a display is not provided specifically on the rear surface of a dispensing unit with tickets being dispensed from the same rear surface. Similarly, the features of claims 28 and 29, which also are dependent from claim 20, are not suggested by Troy.

Claims 40, 46 and 48 are directed to the feature of the invention in which the opening of an access door to the dispensing unit is detected and counted. By this means, the agent can determine whether an employee or other person who has no valid reason for entering the cabinet has done so. Since the number of accesses is recorded and printed out for the agent, he can determine whether security may have been breached.

None of the references suggests the novel concept of these claims in which the number of accesses is counted. Alarms are sounded and other indicia are activated to indicate when an access door is opened, but an accounting system for openings is a different and novel concept not suggested by these references. Thus, the Examiner's comment on page 4 of the official action regarding the disclosure of Koza as applied to claims 46-48, does not anticipate the invention as set forth in these claims.

Claims 42-45 and 49 are directed to the feature of the invention in which an imprinter is provided in the dispensing unit to imprint on the ticket itself the identification of the agent or station issuing the ticket. This concept is not shown or suggested by any of the references. The Examiner's contention on page 6 of the official action that vendor identification is printed on Troy's checks is not believed to be supported by the reference to the specification. Moreover, even if some identification of the vendor did appear on the checks, this is not at all the same as imprinting the vendor's identification on

each of the lottery tickets. The checks are used to provide payoffs to winners, whereas lottery tickets still must be redeemed at some later point in time. By imprinting the vendor's identification on each ticket, the buyer has a convenient reference for determining where to go to claim credit for the winning ticket.

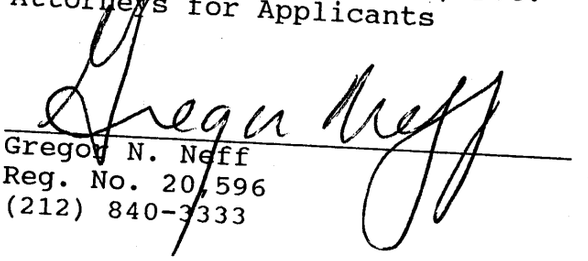
Claims 34 and 35 have been indicated to be allowable if rewritten as suggested by the Examiner. They have been so rewritten and are believed to be allowable.

The prior art which was cited but not specifically relied on is not believed to be any more pertinent than that relied on.

Accordingly, it is respectfully requested that the claims be allowed and that the application be passed to issue.

Respectfully submitted,

CURTIS, MORRIS & SAFFORD, P.C.
Attorneys for Applicants

By: 

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UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address : COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
07/126,070	12/03/87	BORK	332-2130

CURTIS, MORRIS & SAFFORD
530 FIFTH AVENUE
NEW YORK, NY 10036

EXAMINER	
RUGGIERO, J	
ART UNIT	PAPER NUMBER
236	9

DATE MAILED: 07/25/89

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

☐ This application has been examined ☑ Responsive to communication filed on 5-19-89 ☐ This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), _____ days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

1. ☑ Notice of References Cited by Examiner, PTO-892.
2. ☐ Notice re Patent Drawing, PTO-948.
3. ☐ Notice of Art Cited by Applicant, PTO-1449.
4. ☐ Notice of Informal Patent Application, Form PTO-152.
5. ☑ Information on How to Effect Drawing Changes, PTO-1474.
6. ☐ _____

Part II SUMMARY OF ACTION

1. ☑ Claims 20, 21, 24, 25, 27-40, 42-46 and 48-72 are pending in the application.
   Of the above, claims 52-57 are withdrawn from consideration.
2. ☑ Claims 1-19, 22, 23, 26, 41 and 47 have been cancelled.
3. ☑ Claims 20, 21, 24, 25, 27-29, 34, 35, 50 and 51 are allowed.
4. ☑ Claims 30-32, 40, 42-46, 48, 49, 58-66, 68 and 70-72 are rejected.
5. ☐ Claims 33, 36-39, 67 and 69 are objected to.
6. ☑ Claims 52-57 are subject to restriction or election requirement.
7. ☐ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
8. ☐ Formal drawings are required in response to this Office action.
9. ☐ The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable. ☐ not acceptable (see explanation or Notice re Patent Drawing, PTO-948).
10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on _____ has (have) been ☐ approved by the examiner. ☐ disapproved by the examiner (see explanation).
11. ☐ The proposed drawing correction, filed on _____, has been ☐ approved. ☐ disapproved (see explanation).
12. ☐ Acknowledgment is made of the claim for priority under U.S.C. 119. The certified copy has ☐ been received ☐ not been received ☐ been filed in parent application, serial no. _____; filed on _____.
13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
14. ☐ Other

EXAMINER'S ACTION

PTOL-326 (Rev. 6-88)

1. It is noted that page 24, line 4, as presently amended, has poor syntax. Also, the first line of claim 46, as now amended, has poor syntax.

2. The drawings are objected to because Reference numerals "90" at page 26, line 22 of the specification and "39" at the last line of page 17 are not shown in the drawing. Correction is required.

3. Applicant is required to submit a proposed drawing correction in response to this Office action. However, correction of the noted defect can be deferred until the application is allowed by the examiner.

4. Claims 61-64 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 61, the use of "adapted" in the expression "adapted to break through" is not sufficient to provide a positive recitation of structural cooperation among the elements of the device. In claim 64, the wording "relatively stiff stock" is vague and indefinite. Claim 62 and 63 incorporate the deficiencies of claim 61 by dependence.

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless-

6. (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 30-32, 58-60 and 64 are rejected under 35 U.S.C. 102(b) as being anticipated by Wescoat '669.

Wescoat '669 discloses an apparatus for dispensing lottery tickets including ticket storage means 34 for storing a plurality of lottery tickets 36 in a fan fold stream separated by lines of weakness 37, transport means 47 for feeding the tickets, separations means 71 including breaker bar 72 for separating the tickets by bursting along the lines of weakness and manually accessible outlet means 46 for receiving the separated ticket. Further included in Wescoat is a hold down roll 79 which prevents deflection of the tickets from the feed path during bursting. Wescoat also provides a feed alignment means (bowing means 81) to control the transport means. Further, with regard to claim 59, the downward movement of the breaker bar 72 in Wescoat is considered to be in a direction transverse to the longitudinal direction of the strip. With regard to claim 60, it is noted that the language in the "so that" clause is given no patentable weight in determining distinguishable structure.

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless-

9. (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent.

10. Claims 46 and 48 are rejected under 35 U.S.C. 102(a) as being anticipated by Koza et al.

The merits of Koza et al. have been discussed at par. 6 of the previous Office action, paper no. 6. In particular, at col. 24, lines 11-19, Koza et al. clearly provide for the detection and storage of information relating the opening of the terminal doors. Although, Koza et al. do not explicitly disclose the counting of each access, this information is inherently included since all accesses to the terminal doors are detected and stored.

11. The following is a quotation of 35 U.S.C. 103 which forms the basis for all obviousness rejections set forth in this Office action:

> A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
>
> Subject matter developed by another person, which qualifies as prior art only under subsection (f) and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

12. Claim 40 is rejected under 35 U.S.C. 103 as being unpatentable over Wescoat '669 in view of Koza et al.

The merits of Wescoat '669 have been discussed in par. 7 above. As such, Wescoat discloses the claimed invention except for the detection and counting of each access to the ticket storage means. However, Koza et al. clearly teach the advantage of providing and storing information related to the access of ticket storage compartments in a ticket dispensing environment as discussed in par. 10 above. It would be obvious to provide such a door access counting feature in the system of Wescoat in view of the advantages taught by Koza et al.

13. Claims 42-45 and 49 are rejected under 35 U.S.C. 103 as being unpatentable over Muller et al. in view of Wescoat '699.

The merits of Wescoat have been discussed at par. 7, above. Muller et al. disclose an instant lottery system in which information including vendor identification data is printed on the ticket, col. 5, line 20.

Muller et al. further contemplate the use of plural dispensing units, col. 6, line 32. It is recognized that Muller et al. provide no details of the feeding and separation of tickets. However, these features are clearly disclosed by Wescoat. To provide the feeding and ticket separation features of Wescoat in the system of Muller et al. would be obvious in view of the teachings of Wescoat. It is further noted that the particular form of the vendor identification data is a

matter of obvious design choice.

14. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this office action:

A person shall be entitled to a patent unless-

15, (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

16. Claims 65, 68, 71 and 72 are rejected under 35 U.S.C. 102(e) as being anticipated by Hartmann.

Hartmann discloses a ticket dispenser including moving means (e.g., 44) for moving a strip a predetermined distance to be separated (Hartmann, col. 4, line 58 to col. 5 line 31), and position detector means (optical detector 31) for detecting the position moved. The comparison and storing operations are discussed at col. 4, lines 23-46.

17. Claim 66 is rejected under 35 U.S.C. 103 as being unpatentable over Hartmann as applied to claims 65, 68, 71 and 72 above, and further in view of Kondur, Jr. et al.

The advantages of using a rotary code wheel such as 34 for position detection is disclosed by Kondur, Jr. et al. To use such a rotary code wheel for

position detection in Hartman would be obvious in view of the techniques of Kondur, Jr. et al.

18. Claim 70 is rejected under 35 U.S.C. 103 as being unpatentable over Hartmann as applied to claims 65, 68, 71 and 72 above, and further in view of Wescoat '699.

The advantages of using a bursting operation to separate tickets in disclosed by Wescoat as discussed in par. 7 above, to use such a bursting operation to separate tickets in Hartmann would be obvious in view of the teachings of Wescoat.

19. Newly submitted claims 52-57 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: Claims 52-57 are drawn to a method of separating tickets which is usable in combination other than the claimed dispenser of the remaining claims. Further, the claimed dispenser of the originally presented claims does not require the particulars of the ticket separator means of claims 52-57 as evidenced, for example, by claim 30.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 52-57 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP 821.03.

20. Claims 33, 36-39, 67 and 69 are objected to as

being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

21. Claims 61-63 would be allowable if rewritten to overcome the rejection under 35 U.S.C. 112 and to include all of the limitations of the base claim and any intervening claims.

22. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Berner is cited of particular interest in disclosing a ticket(label) dispenser with position control for proper bursting operation.

23. Any inquiry concerning this communication or earlier communications from the examiner should be directed to J.F. Ruggiero whose telephone number is (703) 557-0470.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 557-2878.

JFR/jrm

7/24/89

JOSEPH RUGGIERO
PRIMARY EXAMINER
ART UNIT 236

TO SEPARATE, HOLD TOP AND BOTTOM EDGES, SPREAD APART AND DISCARD CARBON

M.11.

FORM PTO-892 (REV. 3-78) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	SERIAL NO.	GROUP ART UNIT	ATTACHMENT TO PAPER NUMBER
NOTICE OF REFERENCES CITED	128,070	236	9
	APPLICANT(S) R. L. BURR et al		

U.S. PATENT DOCUMENTS

*		DOCUMENT NO.	DATE	NAME	CLASS	SUB-CLASS	FILING DATE IF APPROPRIATE
	A	3894669	7-1975	WESCOAT	225	103	
	B	4832341	5-1989	MULLER et al	273	138A X	8-21-86
	C	4192618	3-1980	KONOUR, JR. et al	226	44 X	
	D	3621964	11-1971	RIDDLE et al	221	7 X	
	E	4094451	6-1978	WESCOAT	225	96	
	F	4375189	3-1983	BERNER et al	225	100 X	
	G						
	H						
	I						
	J						
	K						

FOREIGN PATENT DOCUMENTS

*		DOCUMENT NO.	DATE	COUNTRY	NAME	CLASS	SUB-CLASS	PERTINENT SHTS. DWG	PERTINENT PP. SPEC.
	L								
	M								
	N								
	O								
	P								
	Q								

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

R	
S	
T	
U	

EXAMINER	DATE	
RUGGIERO	7-19-89	

* A copy of this reference is not being furnished with this office action.
(See Manual of Patent Examining Procedure, section 707.05 (a).)

$215.00 217 Op
#230
10

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Robert L. Burr, et al.

Serial No. 128,070 Examiner: J. Ruggiero

Filed December 3, 1987 Group No. 230

For SYSTEM AND METHOD FOR DISTRIBUTING LOTTERY TICKETS Date: January 25, 1990

THE COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

Sir:

Transmitted herewith is an amendment in the above-identified application.

X No additional fee is required.

The fee has been calculated as shown below.

___ This is an application of a small entity under 37 CFR 1.9(f), and the amounts shown in parentheses apply.

CLAIMS AS AMENDED

(1)	(2) Claims remaining after amendment	(3)	(4) Highest number previously paid for	(5) Present extra	(6) Rate	(7) Add'l fee
Total Claims	*	minus	** =	X	$12(6) =	
Independent Claims	*	minus	*** =	X	$36(18) =	
			Total additional fee for this amendment			

* If the entry in Column 2 is less than the entry in Column 5.

** If the highest number of total claims previously paid for is less than 20, write "20" in this space.

*** If the highest number of independent claims previously paid for is less than 3, write "3" in this space.

080 01/31/90 07128070

[MLB]C:\WP50\F\COVERPTO.AM

1 217 215.00 CK

___ This application contains a multiple dependent claim. The required fee of $120(60) has been previously paid ___, or is paid herewith ____.

___ This response is being filed within the ___ first month, __ second month, _3_ third month, ___ fourth month following the expiration of the term originally set therefor, and the fee of ___ $62 (31), ___ $180 (90), ___ $430 (215), ___ $680 (340) for the requisite extension is due and ___ paid herewith.

_X_ A check in the amount of $ 215.00 is attached.

___ Charge $_____ to Deposit Account No. 03-3925.

_X_ Please charge any additional fees incurred by reason of this response or credit any overpayment to Deposit Account No. 03-3925. A duplicate copy of this sheet is enclosed.

CURTIS, MORRIS & SAFFORD, P.C.
Attorneys for Applicant(s)

By _____

Reg. No. 20,596

(212) 840-3333

[MLB]C:\WP50\F\COVERPTO.AM

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Robert L. Burr, et al.
Serial No.	:	128,070
Filed	:	December 3, 1987
For	:	SYSTEM AND METHOD FOR DISTRIBUTING LOTTERY TICKETS
Group Art Unit	:	230
Examiner	:	J. Ruggiero

530 Fifth Avenue
New York, New York 10036
January 25, 1990

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on January 25, 1990

Gregor N. Neff, Reg. No 20,596
Name of Applicant, Assignee or Registered Representative

Signature

January 25, 1990
Date of Signature

AMENDMENT

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

In response to the Official Action of July 25, 1989, please amend the above-identified patent application as follows:

IN THE SPECIFICATION:

Page 17, lines 13 and 31, change "39" to --27--;

Page 24, line 24, replace the entire line with the following new line: "reflected slightly downwardly,".

PATENT
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IN THE CLAIMS:

~~30~~ 31. (Twice Amended) Apparatus for dispensing lottery tickets, comprising:

ticket storage means for storing a plurality of lottery tickets connected in a fan-fold stream headed by a leading ticket, said tickets being separable from each other along lines of weakness;

transport means for feeding said stream of tickets from said ticket storage means along a predetermined dispensing path;

separation means for separating said leading ticket from said stream of tickets along a leading line of weakness between said leading ticket and a next following ticket by bursting said tickets apart along said leading line; [and]

manually accessible outlet means for receiving the separated ticket[.];

wherein said separation means includes a dull-edged bursting blade movably mounted adjacent a predetermined bursting position along said path, holding means for holding said stream of tickets against substantial deflection from said path at said bursting position and bursting blade drive means for bringing said bursting blade into bursting contact with said stream of tickets at said bursting position to burst said leading ticket from said next following ticket;

wherein said separation means includes feed alignment means for controlling said transport means to bring said leading line of weakness to said bursting position; and

wherein said alignment means includes sensor means for detecting a present position of said leading ticket relative to said bursting position, determining means for determining a transport direction and a displacement distance necessary to bring said leading line of weakness to said bursting position, and transport control means for generating a transport control signal indicative of said transport direction and displacement distance, said transport means being responsive to said transport control signal for transporting said stream of tickets in said transport direction by said displacement distance;

Cancel claims 31-33;

Claim 36, line 1, change "33" to --30--;

Cancel claims 46 and 48;

Cancel claims 52-57, subject to the right to pursue the claims in a divisional patent application.

Rewrite claims 58-61, 64, 65, 67, 69, 70 and 72 as follows:

58. (Amended) Apparatus for dispensing tickets from a strip of tickets delineated from one another by lines along which the material of said strip is weakened, said apparatus comprising, in combination, means for moving said strip towards a

dispensing position, a separation member, means for holding said strip adjacent one line along which said strip is to be separated, and [bending] causing said strip to bend along said one line at said dispensing position to facilitate tearing of said strip by engagement with said separator member along said one line while said strip is bent.

59. (Amended) Apparatus as in Claim 58 including [separation means, having a separator member and] drive means for creating motion of said separator member and said strip relative to one another in a direction transverse to the strip, with said member in contact with and deflecting said strip to bend said strip along said one line and burst said tickets apart along said one line.

23 60. (Amended) Apparatus as in Claim 59 in which said means for holding said strip includes means for releasing [holds] said strip [reasonably so that the] under the pull exerted by the deflecting contact of said separator member with said strip [tends to pull said strip] to adjust [its] the longitudinal position of said strip in order to align said one line with said member.

24 61. (Amended) Apparatus for dispensing tickets from a strip of tickets delineated from one another by lines along which the material of said strip is weakened, said apparatus comprising, in combination, means for moving said strip towards a